

## State of Utah

# **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

DAR file no:	Date filed:										
Utah Admin. Code ref. (R no.): R307-115	Time filed:										
<b>1. Agency:</b> Environmental Quality/Air Quality <b>Room no.:</b> <b>Building:</b> <b>Street address 1:</b> 150 N 1950 W <b>Street address 2:</b> <b>City,state,zip:</b> SALT LAKE CITY, UT 84116-3085 <b>Mailing address 1:</b> PO BOX 144820 <b>Mailing address 2:</b> <b>City,state,zip:</b> SALT LAKE CITY, UT 84114-4820 <b>Contact person(s):</b> <table border="0"> <tr> <td><b>Name:</b></td> <td><b>Phone:</b></td> <td><b>Fax:</b></td> <td><b>E-mail:</b></td> <td><b>Remove:</b></td> </tr> <tr> <td>Jan Miller</td> <td>801-536-4042</td> <td>801-536-4099</td> <td>janmiller@utah.gov</td> <td></td> </tr> </table>		<b>Name:</b>	<b>Phone:</b>	<b>Fax:</b>	<b>E-mail:</b>	<b>Remove:</b>	Jan Miller	801-536-4042	801-536-4099	janmiller@utah.gov	
<b>Name:</b>	<b>Phone:</b>	<b>Fax:</b>	<b>E-mail:</b>	<b>Remove:</b>							
Jan Miller	801-536-4042	801-536-4099	janmiller@utah.gov								
(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)											

<b>2. Title of rule or section (catchline):</b>
General Conformity
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:</b> As specified in 19-2-104(3)(q), the Air Quality Board may "meet the requirements of federal air pollution laws." One of those laws is 40 CFR Part 93, Subpart B, which is incorporated by reference by R307-115. Subpart B requires that no agency of the federal government support in any way any activity, with some exceptions, that does not conform to any State's implementation plan to protect air quality. 40 CFR 93.150 states that the provisions of Subpart B "...establish the conformity criteria and procedures necessary to meet the [Clean Air] Act requirements until such time as the required conformity revision [by the State] is approved by EPA. A State's conformity provisions must contain criteria and procedures that are no less stringent than the requirements established in this subpart." Utah chose to meet this requirement by incorporating by reference the federal provisions.
<b>4. A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:</b> No comments have been received.
<b>5. A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any:</b> R307-115 is required by 40 CFR Part 93, Subpart B. It has been approved by EPA as part of Utah's State Implementation plan, and cannot be deleted without EPA approval.
<b>6. Indexing information - keywords (maximum of four, in lower case):</b> environmental protection, air pollution, general conformity
<b>7. Attach an RTF document containing the text of this rule change (filename):</b>

There is currently a document associated with this filing. Rule Text

**To the agency:** Information requested on this form is required by Section 63-46a-9. Incomplete forms will be returned to the agency for completion, possibly delaying the effective date.

#### AGENCY AUTHORIZATION

<b>Agency head or designee, and title:</b>	Heying, M. Cheryl Planning Branch Manager	<b>Date</b> (mm/dd/yyyy):	6/23/2005
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